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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,265	07/14/2005	Lennart Gustavsson	128.1174USN	5108

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FASTH LAW OFFICES (ROLF FASTH)
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EXAMINER

KINNEY, ANNA L

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/542,265

Applicant(s)

GUSTAVSSON ET AL.

Examiner

Anna Kinney

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: On page 6, line 34, the term "fiberlosses" should have a space between "fiber" and "losses". On page 12, line 15, the word "superfluors" appears to be a misspelling of "superfluous".

Appropriate correction is required.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Method for washing pulp in a bleaching line with a pressurised main conduit for wash liquor and filtrate.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422

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F.2d 438, 164 USPQ 619 (CCPA 1970); and In re Thorington, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 5-12, and 14-15 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2-10, and 12-13 of U.S. Patent No. 7,077,931. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of Patent '931 encompass or overlap the instant rejected claims.

Claims 1, 2, 4, 7-8, and 14-15 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 6-9, 12, and 14 of copending Application No. 10/541,435. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of application '435 encompass or overlap the instant rejected claims.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim 1 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 27 and 29-31 of copending Application No. 11/280,915 in view of Yin et al (US 6,569,284). Application '915 discloses all the steps of instant claim 1 except that the bleaching line comprises two bleaching steps, that the main conduit is pressurized, and the relative position of the fourth branch. However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to position the fourth branch conduit in whatever location on the main conduit would result in the simplest arrangement, which would clearly have resulted in the fourth branch conduit being located subsequent to the first through third branch conduits.

Yin discloses a method of bleaching cellulose pulp in a bleaching line, having at least two bleaching steps (Abstract), with a wash apparatus arranged after each bleaching step (Fig. 1, items 16, 24, 60, and 72), and discloses pumping filtrate from washers (col. 6, lines 6-9 and Fig. 1, item 74) to a main conduit which supplies wash liquor to wash apparatuses subsequent to other bleaching steps (Fig. 1, items 64, 60, 48, and 24).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a filtrate pump as described by Yin in the pulp bleaching method of application '915 to obtain the invention as specified in claim 1. It would further have been obvious that each filtrate pump used would contribute pressure to the main conduit, resulting in a pressurized conduit.

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The motivation would have been to collect and transfer the wash liquid from a washer (col. 5, lines 16-21).

This is a provisional obviousness-type double patenting rejection.

Claim 1 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 27-34 of copending Application No. 11/287,065 in view of Yin et al, as applied in the provisional obviousness-type double patenting rejection of claim 1, above. Application '065 discloses all the steps of instant claim 1 except that the bleaching line comprises two bleaching steps, that the main conduit is pressurized, the presence of a third branch, and the relative position of the third and fourth branches. However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art that a third branch would be required to convey the second portion of wash water to the second apparatus, as disclosed in claim 33 of application '065, and to position the third and fourth branch conduits in whatever locations on the main conduit would result in the simplest arrangement, which would clearly have resulted in the third and fourth branch conduits being located subsequent to the first and second branch conduits.

Yin is applied as in the provisional obviousness-type double patenting rejection of claim 1, above.

This is a provisional obviousness-type double patenting rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The International Search Report identified US 3,698,995 and US

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4,104,114 as "A" references. Patent '995 shows a bleach line in which the filtrate from multiple washers is collected in a single conduit. However, '995 does not show wash water delivered to the washers in the same conduit. Patent '114 shows a main conduit conveying wash water to washers, but does not show a conduit that both collects filtrate and conveys wash water to a single washer. Similarly, US 6,106,667 shows a main conduit a main conduit collecting filtrate from multiple washers, but does not show a conduit that both collects filtrate from and conveys wash water to a washer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anna Kinney whose telephone number is (571) 272-8388. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



STEVEN P. GRIFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

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